

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THURL H. LIGHT, II,
Plaintiff,

v.

OFFICER D. SOTASO,
Defendant.

Case No. 1:24-cv-01508-JLT-HBK (PC)

SCREENING ORDER ON PLAINTIFF'S
SECOND AMENDED COMPLAINT

(Doc. No. 33)

ORDER REFERRING CASE TO EARLY
ADR

MARCH 2, 2026 DEADLINE

Pending before the court is Plaintiff's Second Amended Complaint filed on December 18, 2025. (Doc. No. 33). The following facts are set forth in the Second Amended Complaint, which are accepted as true at this stage of the proceedings.

I. Allegations in Operative Complaint

On May 2, 2024, Plaintiff was a pretrial detainee and placed in administrative segregation ("ad-seg") housing at the Fresno County Jail. (Doc. No. 33 at 4). As a protective custody inmate housed in ad-seg, other inmates are not "allowed access" to Plaintiff. (*Id.* at 5). While returning to his assigned housing on the sixth floor from the rooftop yard, Defendant Sotaso "put Plaintiff into the rooftop vestibule #2 elevator" and closed the doors. (*Id.* at 4). Despite the doors being closed, the elevator remained stationary for two to three minutes. (*Id.*). Defendant Sotaso, who was in Central Control operating the elevators, reopened the elevator doors to permit two general

1 population inmates—known “gang members”—to enter the elevator and assault Plaintiff. (*Id.*).
 2 Defendant Sotaso worked on Plaintiff’s housing unit and knew Plaintiff was gay and in protective
 3 custody. (*Id.* at 5). The two inmates also knew Plaintiff was gay and not in general population.
 4 (*Id.*). The assault, which lasted for eight minutes, was observed by Defendant Sotaso via the
 5 surveillance camera without any intervention. (*Id.* at 5). During the assault, Plaintiff’s colostomy
 6 bag was “ripped off” and his “organ was bleeding.” (*Id.* at 5). Plaintiff sustained injuries to his
 7 “head, back, belly, and body.” (*Id.* at 5).

8 The Second Amended Complaint alleges Fourteenth Amendment violations against
 9 Defendant Sotaso for Defendant’s deliberate indifference to Plaintiff’s safety by allowing the two
 10 gang members inside the same elevator with Plaintiff, knowing Plaintiff was gay and in protective
 11 custody, and Defendant’s failure to protect Plaintiff by permitting the assault to continue for eight
 12 minutes without taking any action despite viewing the assault from Central Control. (*Id.* at 3-5).
 13 As relief, Plaintiff seeks \$50 million in damages for the injuries he sustained from the elevator
 14 assault. (*Id.* at 5).

15 **II. Screening**

16 A plaintiff who commences an action while in prison is subject to the Prison Litigation
 17 Reform Act (“PLRA”), which requires, inter alia, the court to screen a complaint that seeks relief
 18 against a governmental entity, its officers, or its employees before directing service upon any
 19 defendant. 28 U.S.C. § 1915A. This requires the court to identify any cognizable claims and
 20 dismiss the complaint, or any portion, if it is frivolous or malicious, if it fails to state a claim upon
 21 which relief may be granted, or if it seeks monetary relief from a defendant who is immune from
 22 such relief. *See* 28 U.S.C. §§ 1915A(b)(1), (2).

23 At the screening stage, the court accepts the factual allegations in the complaint as true,
 24 construes the complaint liberally, and resolves all doubts in the plaintiff’s favor. *Jenkins v.*
 25 *McKeithen*, 395 U.S. 411, 421 (1969); *Bernhardt v. L.A. County*, 339 F.3d 920, 925 (9th Cir.
 26 2003). The Court’s review is limited to the complaint, exhibits attached, materials incorporated
 27 into the complaint by reference, and matters of which the court may take judicial notice. *Petrie v.*
 28 *Elec. Game Card, Inc.*, 761 F.3d 959, 966 (9th Cir. 2014); *see also* Fed. R. Civ. P. 10(c). A court

1 does not have to accept as true conclusory allegations, unreasonable inferences, or unwarranted
2 deductions of fact. *Western Mining Council v. Watt*, 643 F.2d 618, 624 (9th Cir. 1981). Critical
3 to evaluating a constitutional claim is whether it has an arguable legal and factual basis. *See*
4 *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989).

5 To assert a claim under § 1983, a plaintiff must allege: (1) the violation of a federal
6 constitutional or statutory right; and (2) that the violation was committed by a person acting under
7 the color of state law. *See West v. Atkins*, 487 U.S. 42, 48 (1988); *Jones v. Williams*, 297 F.3d
8 930, 934 (9th Cir. 2002). An individual defendant is not liable on a civil rights claim unless the
9 facts establish either the defendant's personal involvement in the constitutional deprivation or a
10 causal connection between the defendant's wrongful conduct and the alleged constitutional
11 deprivation. *See Hansen v. Black*, 885 F.2d 642, 646 (9th Cir. 1989); *Johnson v. Duffy*, 588 F.2d
12 740, 743-44 (9th Cir. 1978).

13 The Federal rules of Civil Procedure require only that a complaint include "a short and
14 plain statement of the claim showing the pleader is entitled to relief . . ." Fed. R. Civ. P. 8(a)(2).
15 Nonetheless, a claim must be facially plausible to survive screening. This requires sufficient
16 factual detail to allow the court to reasonably infer that each named defendant is liable for the
17 misconduct alleged. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009); *Moss v. U.S. Secret Service*,
18 572 F.3d 962, 969 (9th Cir. 2009). The sheer possibility that a defendant acted unlawfully is not
19 sufficient, and mere consistency with liability falls short of satisfying the plausibility standard.
20 *Iqbal*, 556 U.S. at 678; *Moss*, 572 F.3d at 969. Although detailed factual allegations are not
21 required, "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory
22 statements, do not suffice," *Iqbal*, 556 U.S. at 678 (citations omitted), and courts "are not required
23 to indulge unwarranted inferences," *Doe I v. Wal-Mart Stores, Inc.*, 572 F.3d 677, 681 (9th Cir.
24 2009) (internal quotation marks and citation omitted).

25 Because Plaintiff is appearing pro se, the court must construe the allegations of the first
26 amended complaint liberally. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam); *see also*
27 *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010) (as amended). Nonetheless, "a liberal
28 interpretation of a civil rights complaint may not supply essential elements of the claim that were

1 not initially pled.” *Bruns v. Nat’l Credit Union Admin.*, 122 F.3d 1251, 1257 (9th Cir. 1997)
2 (quoting *Ivey v. Bd. of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)). As a pretrial detainee,
3 Plaintiff’s rights stem from the Fourteenth Amendment, as opposed to the Eighth Amendment.
4 *Castro v. Cty. of Los Angeles*, 833 F.3d 1060, 1069 (9th Cir. 2016).

5 **III. Analysis**

6 A pretrial detainee who asserts a due process claim “to prove more than negligence but
7 less than subjective intent—something akin to reckless disregard.” *Castro* 833 F.3d at 1071. A
8 Fourteenth Amendment claim requires a pretrial detainee to show: (1) the defendant made an
9 intentional decision as to the plaintiff’s conditions of confinement, (2) those conditions put the
10 plaintiff at substantial risk of serious harm, (3) the defendant did not take reasonable available
11 measures to abate that risk, even though a reasonable officer in the circumstances would have
12 appreciated the high degree of risk involved—making the consequences of the defendant’s
13 conduct obvious, and (4) by not taking such measures, the defendant caused the plaintiff’s
14 injuries. *Id.*

15 Liberally construed, the court finds the Second Amended Complaint alleges sufficient
16 facts from which this court may reasonably infer that Defendant Sotaso was aware of the
17 substantial risk faced by Plaintiff, a protective-custody inmate who identifies as gay, if placed
18 alone in an elevator with two active gang members from the general population. Further, despite
19 having such knowledge, Defendant reopened the elevator doors to permit these two inmates to
20 enter the elevator with Plaintiff. Defendant then observed the attack for eight minutes via a
21 surveillance camera from Center Control without intervening. Thus, the court finds the Second
22 Amended Complaint adequately states cognizable Fourteenth Amendment claims for deliberate
23 indifference and a failure to protect claim against Defendant at the screening stage to proceed.

24 **IV. Referral to Early ADR**

25 The Court refers all civil rights cases filed by pro se individuals to early Alternative
26 Dispute Resolution (ADR) to try to resolve such cases more expeditiously and less expensively.
27 *See also* Local Rule 270. Attempting to resolve this matter early through settlement now would
28 save the parties the time and expense of engaging in lengthy and costly discovery and preparing

1 substantive dispositive motions. The Court therefore will STAY this action for 60 DAYS to
2 allow the parties an opportunity to investigate Plaintiff's claims, meet and confer, and engage in
3 settlement discussions, or agree to participate in an early settlement conference conducted by a
4 magistrate judge. If after investigating Plaintiff's claims and meeting and conferring, either party
5 finds that a settlement conference would be a waste of resources, the party may file a notice to opt
6 out of the early settlement conference.

7 Accordingly, it is **ORDERED**:


8 1. This action will remain **STAYED until further order** to allow the parties an
9 opportunity to settle their dispute. Defendant may, but is not required, to file a response to the
10 Second Amended Complaint during the stay. The parties may not file other pleadings or motions
11 during the stay period. Further, the parties shall not engage in formal discovery until the Court
12 issues a Scheduling and Discovery Order.

13 2. No Later than March 2, 2026, the parties shall file a notice if they object to
14 proceeding to an early settlement conference or if they believe that settlement is not currently
15 achievable.

16 3. If neither party has opted out of settlement by the expiration of the objection
17 period, the Court will assign this matter by separate Order to a United States Magistrate Judge,
18 other than the undersigned, for conducting the settlement conference.

19 4. If the parties reach a settlement prior to the settlement conference, they SHALL
20 file a Notice of Settlement as required by Local Rule 160.

21
22 Dated: December 29, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE